

#11 ARCO - Melh/GTBA
CXH/rof
ENVIRONMENTAL PROTECTION AGENCY

Grant of Application for a Fuel Waiver
Submitted by the Atlantic Richfield
Company (ARCO)--Decision of the
Administrator

I. Introduction

Section 211(f)(1) of the Clean Air Act (Act), 42 U.S.C. 7545(f)(1), states that, effective upon March 31, 1977, it shall be unlawful for any manufacturer of any fuel or fuel additive to first introduce into commerce, or to increase the concentration in use of, any fuel or fuel additive for general use in light duty motor vehicles manufactured after model year 1974 which is not substantially similar^{1/} to any fuel or fuel additive utilized in the certification of any model year 1975, or subsequent model year, vehicle or engine under section 206 of the Act.^{2/} Section 211(f)(4) of the Act, 42 U.S.C. 7545(f)(4), provides that the Administrator of the EPA, upon application of any manufacturer of any fuel or fuel additive, may waive the prohibitions established under section 211(f) if the Administrator determines that the applicant has established that such fuel or fuel additive or a specified concentration thereof, or the emission products of such fuel or additive or specified concentration thereof, will not cause or contribute to a failure of any emission control device or system (over the useful life of any vehicle in which such device or system is used) to achieve compliance by the

^{1/}The revised definition of "substantially similar" was published in the Federal Register on July 28, 1981, 46 FR 38582.

^{2/}Section 206 of the Act sets forth the certification requirement which vehicle manufacturers must comply with in order to introduce into commerce new model year motor vehicles.

vehicle with the emission standards with respect to which it has been certified pursuant to section 206 of the Act. If the Administrator does not act to grant or deny an application within 180 days of receipt of the application, the waiver authorized by section 211(f)(4) shall be treated as granted.

On April 27, 1981 Atlantic Richfield Company (ARCO) submitted a waiver application under section 211(f) of the Act for a blend of unleaded gasoline with methanol and tertiary butyl alcohol, such that a maximum ratio by volume of one methanol to gasoline grade tertiary butyl alcohol is not exceeded and a maximum concentration of up to 3.5 weight percent oxygen in finished unleaded gasoline is observed. The Administrator has until November 9, 1981 to grant or deny a waiver. The original deadline of October 25, 1981 was extended by an agreement between ARCO and EPA. Additional data were supplied by ARCO on July 21, 1981. The information submitted by ARCO consists of test data and analyses covering the areas of exhaust emissions, evaporative emissions, driveability, and materials compatibility. ARCO concluded that the submitted data and analyses demonstrate that its blend, used within the maximum amounts requested, would not cause or contribute to a failure of any emission control device or system (over the useful life of any vehicle in which such device or system is used) to achieve compliance by the vehicle with the emission standards with respect to which it has been certified pursuant to section 206 of the Act.

II. Summary of the Decision

I have determined that ARCO has met the burden established under section 211(f)(4) necessary to obtain a waiver^{3/} provided the ratio of methanol to GTBA in the finished fuel does not exceed one, the concentration of total oxygen in the fuel does not exceed 3.5 percent by weight, the finished fuel is blended such that it meets the American Society for Testing and Materials (ASTM) fuel volatility specifications (ASTM D-439) for the area and time of year in which it is sold, and ARCO takes all reasonable precautions to ensure that the finished fuel is not used as a base gasoline to which other oxygenated additives are added. In reaching this decision, I have considered all the available information and data including that provided by persons other than the applicant.

III. Method Of Review

In order to obtain a waiver for a fuel or fuel additive (hereinafter, fuel or fuel additive will be collectively referred to as "fuel") the applicant must establish that the fuel and its emission products will not cause or contribute to a failure of any emission control device or system (over the useful life of any vehicle in which such device or system is used) to achieve compliance by the vehicle with the emission standards with respect to which it has been certified pursuant to section 206 of the Act. This burden, which Congress has imposed on the applicant, if interpreted literally, is virtually impossible to meet as it requires the proof of a negative proposition, i.e., that no vehicle will fail to meet emission standards with respect to which it has been certified.

^{3/} The additive as defined in this application is not "substantially similar" to any fuel utilized in certification under section 206 of the Act as that term is defined. See note 1, supra.

Taken literally, it would require the testing of every vehicle. Recognizing that Congress contemplated a workable waiver provision, mitigation of this stringent burden was deemed necessary. For purposes of the waiver provision, EPA has previously indicated that reliable statistical sampling and fleet testing protocols may be used to demonstrate that a fuel under consideration would not cause or contribute to a significant failure of emission standards by vehicles in the national fleet (see, Waiver Decisions on Tertiary Butyl Alcohol (TBA), 44 FR 10530 (1979) and Anafuel Unlimited (Petrocoal), 46 FR 48975 (1981)).

Emission data submitted with respect to a waiver request are analyzed by appropriate statistical methods in order to characterize the effect that a fuel will have on emissions. Which tests are appropriate to characterize the emission effects of a fuel depends on whether the fuel is predicted to have an instantaneous effect or a long-term deteriorative effect on emissions or both. If the fuel is predicted to have only an instantaneous effect, i.e., the fuel causes an instantaneous incremental shift in the emission levels relative to a base fuel and that shift remains constant throughout the useful life of the vehicle, then "back-to-back" emission testing will suffice.^{4/} If, however, a long-term deteriorative effect is predicted, then 50,000-mile durability testing would be required.^{5/}

^{4/} Back-to-Back emission testing involves testing a vehicle on a base fuel, then testing that same vehicle on the waiver fuel. The difference in emission levels is attributed to the waiver fuel.

^{5/} 50,000-mile durability testing involves operating a matched set of vehicles for 50,000 miles and testing each vehicle for its emissions at 5,000 mile intervals. This is essentially the same testing pattern which each automobile manufacturer must do for new motor vehicle certification under section 206 of the Act.

The statistical tests applied to emissions data provided with respect to a waiver request for a fuel expected to have an instantaneous emission effect are: a Paired Difference Test, a Sign of Difference Test, and a Deteriorated Emissions Test (a test which compares the deteriorated emissions with the emission standards in lieu of actually having 50,000-mile emissions data). These statistical tests are described in Appendix A to this decision.

An alternative to providing the amount of data necessary to meet the statistical requirements, is to make judgments based upon a reasonable theory regarding emission effects supported by confirmatory testing. If there exists a reasonable theory which predicts the emission effects of a fuel, an applicant may only need to conduct a sufficient amount of testing to demonstrate the validity of such theory. This theory and confirmatory testing then form the basis from which the Administrator may exercise his judgment on whether the additive will cause or contribute to a significant failure of any emission control device or system which results in a failure by the vehicle to achieve compliance with emission standards. In addition to emission data, EPA also reviews data on materials compatibility, driveability, fuel composition, and specifications. This information is necessary to fully characterize a fuel, and to determine whether such additive will cause or contribute to a significant failure of vehicles to comply with appropriate emission standards.

Such failure could result from any of the above factors. For example, driveability problems such as lean misfire and repeated stalling lead to increased emissions. Materials compatibility problems could lead to failure of fuel systems which are designed to precise tolerances. Deviations beyond the tolerances could result in greater emissions. Volatility specifications could demonstrate a tendency for high evaporative losses.

Analysis

A. Exhaust Emission Data

As the waiver request encompassed several different possible combinations of methanol and GTBA, ARCO tested vehicles at two "highest concentration" combinations.

Specifically, ARCO tested eleven vehicles. For a more detailed list see the Characterization Report - Atlantic Richfield Company (Docket No. EN-81-10). Each vehicle was tested on:

- i) unleaded gasoline
- ii) five percent methanol/five percent GTBA
- iii) 16 percent GTBA

The combinations of five percent methanol and five percent GTBA (for a 3.7 weight percent oxygen content); and 16 percent GTBA (for a 3.6 weight percent oxygen content) are slightly higher than the 3.5 weight percent oxygen content that is the upper limit of the concentrations granted by this waiver. If the comparison of these blends with unleaded gasoline produced satisfactory results on the statistical tests, I find no reason to question that lower concentrations would cause any worse effects. Experience with other waivers had demonstrated that increases in emissions, particularly oxides of nitrogen and evaporative hydrocarbons, were proportional to oxygen content. Thus I would conclude that if satisfactory results occur at the highest concentration endpoints of the combinations requested, I could grant a waiver for all intermediate concentrations.

The numerical results of the three statistical tests are summarized in Appendix B. Tests 1 and 2 are designed to determine whether ARCO's additive contributes to a failure of vehicles to meet emission standards. Test 3 is designed to determine if the additive will cause the failure of vehicles to meet emission standards.

With regard to the application of the Paired Difference Test (Test 1), at the five percent methanol/five percent GTBA level, the hydrocarbon (HC) and carbon monoxide (CO) emissions decreased and oxides of nitrogen (NOx) emissions were not adversely affected. For the 16 percent GTBA level, all three pollutants decreased. To be able to utilize the Paired Difference Test to arrive at a conclusion, for each pollutant the upper bound of the confidence interval must be equal to or less than ten percent of the applicable standard; e.g., with an HC standard of 1.5 grams per mile, the upper bound of the interval must be 0.15 grams per mile or less if the interval contains zero. As vehicles representing different standards were used here, a weighted average standard based on the vehicles in the sample was used. In the case of the five percent methanol, five percent GTBA level, the intervals for HC and CO were entirely below zero, while the NOx interval contained zero but maintained an upper bound within ten percent of the vehicle emission standard. For the 16 percent GTBA level, all three intervals were entirely below zero.

The results of Test 2 (Sign of Difference Test) indicate that HC, CO, and NOx emissions will not likely increase. In fact they tend to show that HC and CO will decrease for most cars, while a like number of vehicles will increase and decrease for NOx. These results are true for both the five percent methanol/five percent GTBA combination, as well as the 16 percent GTBA concentration.

The results of the third test indicate that ARCO's additive (at both concentrations) satisfied the criterion for this sample, and would not cause vehicles to exceed emission standards when emissions deterioration for 50,000 miles is considered.

Because Tests 1 and 2 for the two concentrations tested show no adverse effect on emissions as a group, and the analysis under Test 3 shows that emissions standards were not exceeded, I conclude that this additive does not cause or contribute to the failure of vehicles to meet exhaust emission standards. As I have already discussed, since testing was done at or even above the highest levels of concentrations requested by ARCO, I conclude that any lower concentrations of GTBA and methanol as requested by ARCO will similarly not cause or contribute to the failure of vehicles to meet exhaust emission standards.

B. Evaporative Emissions

ARCO asserted that evaporative emissions are directly related to fuel volatility, and that a linear correlation exists between evaporative emissions and the Front End Volatility Index (FEVI).^{6/} This relationship has been clearly established when the fuel is composed entirely of hydrocarbon components. It has also been demonstrated to apply when the fuel contains some relatively small percentages of the oxygenated hydrocarbons tertiary butyl alcohol (TBA), methyl tertiary butyl ether (MTBE), and a mixture of TBA and methanol (Oxinol)^{7/} at a concentration lower than the maximum requested in this waiver application. ARCO performed evaporative emissions tests on six fuels: (1) Indolene, (2) a low volatility hydrocarbon only fuel, (3) a high volatility

^{6/} FEVI is equal to the Reid Vapor Pressure (partial pressure at 155° F, ASTM D439-78) plus 0.13, times the numerical percentage of fuel evaporated at 158° F.

^{7/} See Waiver Decisions for TBA, 44 FR 10530, MTBE, 44 FR 12242; and Oxinol, 44 FR 37074.

hydrocarbon only fuel, (4) a low volatility 4.5 percent methanol/4.5 percent GTBA fuel, (5) a high volatility 4.5 percent methanol/4.5 percent GTBA fuel, and (6) a high volatility 16 percent GTBA fuel, and demonstrated that for those fuels such a relationship does exist. Thus, controlling the volatility within ASTM volatility specifications should adequately control evaporative emissions and they should be no worse than those of commercially available fuels.

It would be discriminatory to require the applicant to meet a more stringent volatility limit in order to control evaporative emissions than is characteristic of commercially available fuels.^{8/} The volatility of commercially available gasoline varies over a substantial range, and indeed must be blended with the correct volatility for the particular geographic area and time of year. Therefore, I conclude that the subject additive will not cause or contribute to the failure of vehicles to meet evaporative emission standards provided the final fuel is blended to meet the ASTM volatility specifications appropriate for the area and the time of year as provided in this waiver.

C. Other Technical Issues

1. Materials Compatibility

Materials compatibility is an important factor when reviewing a waiver request. Materials incompatibility can contribute to or cause the failure of vehicles to meet either their exhaust or evaporative emission standards. This can occur because a fuel or additive may cause changes in the components in carburetors or fuel systems which

^{8/}See Waiver Decision for Oxinol, 44 FR 37074.

exceed the tolerances specified by the manufacturer. Such changes can impair the performance of the vehicle to the point that emissions are adversely affected. Unfortunately, materials compatibility data are not as easily subjected to quantitative analysis as are emission data.

Most of the negative comments submitted to the docket came from automakers concerned with ARCO's failure to perform emissions tests over the full 50,000-mile useful life of the test vehicles. They contend that alcohol fuels have potential problems with engine wear and fuel systems materials which would appear only in long term emission testing. Thus, the automakers argued that ARCO should have performed 50,000-mile emissions tests.

ARCO was aware of this concern and performed a laboratory test program in order to evaluate the materials effects of its additive. A variety of automotive metals, plastics, and elastomers (including carburetor parts) was subjected to 30 day immersion and vapor testing at 110° F in order to simulate compatibility and long term durability. The test fuels were base unleaded gasoline, gasohol, a five percent methanol/five percent GTBA fuel, a 16 percent GTBA fuel, a five percent methanol fuel, and an Oxinol (2.75 percent methanol/2.75 percent GTBA) fuel. The tests were performed with the fuels in "dry" and single phase "wet" conditions because water concentration, for which alcohol has an affinity, has a significant corrosive effect on some metals. The results of the tests indicate that there were no significant detrimental effects on any of the materials.

ARCO also ran a 50,000-mile dynamometer durability test on a seven percent methanol fuel (3.5 weight percent oxygen) and considered it as a worst case approximation for the waiver additive since no GTBA was present. No unusual wear, deposits, changes in lubricating oil characteristics, or other problems were observed.

ARCO has also performed fleet testing involving the waiver additive and did not encounter any materials compatibility problems.

Based on the information submitted by ARCO and others, and our judgment, I conclude that the waiver additive does not present a materials compatibility problem affecting emissions with the fuel systems currently in use.

2. Total Oxygen Content

ARCO's additive will possess a higher oxygen content (maximum of 3.5 percent by weight) in a finished unleaded gasoline than any other additive for which a waiver has been granted. Waivers have been granted for the fuels Gasohol ^{9/} and Petrocoal, ^{10/} which contain higher percentages of oxygen, but these fuels are expected to be more readily identifiable through the distribution/supply system as being oxygenated than an unleaded gasoline. Because there is a potential for the further addition of oxygenated additives to unleaded gasoline as it moves through a distribution system, and because such addition would result in a fuel or fuel additive for which a waiver has not been granted, I am requiring ARCO to take all reasonable precautions to ensure that once its additive has been used to produce a finished unleaded gasoline, that gasoline is not used as a base gasoline to which other oxygenated additives are added.

For a more detailed discussion of the above issues see the Characterization Report in Docket No. EN-81-10.

^{9/} See notice on Gasohol, 44 FR 20777.

^{10/} See Waiver Decision for Petrocoal, 46 FR 48975.

IV. Findings and Conclusion

I have determined that ARCO has established that its additive will not cause or contribute to a failure of any emission control device or system (over the useful life of any vehicle in which such device or system is used) to achieve compliance by the vehicle with the emission standards with respect to which it has been certified pursuant to section 206 of the Act.

I hereby grant the waiver requested by ARCO for its additive provided the following conditions are met:

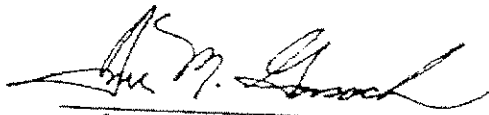
- (1) A maximum ratio by volume of one methanol to gasoline grade tertiary butyl alcohol is not exceeded;
- (2) A maximum concentration of up to 3.5 weight percent oxygen in finished unleaded gasoline is observed;
- (3) The finished unleaded gasoline meets the fuel volatility specifications of the American Society for Testing and Materials (ASTM) standard D-439 for gasoline for the area and time of year in which it is marketed; and
- (4) ARCO takes all reasonable precautions to ensure that the finished unleaded gasoline is not used as a base gasoline to which other oxygenated additives are added.

Under Executive Order 12291 the Office of Management and Budget (OMB) was afforded the opportunity to review this action. OMB declined to review this decision.

This action is not a "rule" as defined in the Regulatory Flexibility Act 5 U.S.C. 601(2), because EPA is not required to undergo "notice and comment" under section 553(b) of the Administrative Procedure Act, or other law. Therefore, EPA has not prepared a supporting regulatory flexibility analysis addressing the impact of this action on small business entities.

This is a final Agency action of national applicability. Jurisdiction to review this action lies exclusively in the U.S. Court of Appeals for the District of Columbia Circuit. Under section 307(b)(1) of the Clean Air Act judicial review of this action is available only by the filing of a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit within 60 days of the date of publication of notice of this decision in the Federal Register. Under section 307(b)(2), today's action may not be challenged later in a separate judicial proceeding brought by the Agency to enforce the statutory prohibitions.

11-7-81
Date


Anne M. Gorsuch
Administrator

APPENDIX A

STATISTICAL CRITERIA

The following is a brief description of the statistical tests used to characterize the emission effects of a fuel or fuel additive:

(1) The Paired Difference Test

For each vehicle tested on a base fuel and on the waiver fuel or fuel additive, the difference between the waiver fuel or fuel additive emissions and the base fuel emissions is calculated. A 90% confidence interval is constructed for the mean difference. If the resulting interval lies entirely below zero it is indicative of no adverse effect from this waiver fuel or fuel additive. If the entire interval is above zero, it is indicative of an adverse effect from the waiver fuel or fuel additive. If the interval contains zero, there is arguably no difference between the base fuel and the waiver fuel or fuel additive with regard to emissions provided the confidence interval is small.

(2) The Sign of Difference Test

For each vehicle tested with a base fuel and the waiver fuel or fuel additive, the sign of the emission difference between the waiver fuel or fuel additive emissions and the base fuel emissions is ascertained. This test is designed to determine whether the number of vehicles demonstrating an increase (+) in emissions with the waiver fuel or fuel additive significantly (at a 90 percent confidence level) exceeded those showing a decrease (-) in emissions with the waiver fuel or fuel additive.

(3) The Deteriorated Emissions Test

For each vehicle the effect the waiver fuel or fuel additive has on emissions is determined. This incremental effect, either positive or negative, is added to the 50,000-mile certification emission value of the certification emission vehicle which the test vehicle represented. This incremented 50,000-mile emission value is compared to emissions standards to determine if it did or did not exceed the standards. Either a pass or fail is assigned accordingly. The pass/fail results are analyzed using a one-sided sign test.

The first two methods of analysis are designed to determine whether the waiver fuel or fuel additive has an adverse effect on emissions as compared to the base fuel. Each characterizes a different aspect of adverse effect. The Paired Difference Test determines the mean difference in emissions between the base fuel and the waiver fuel or fuel additive. The Sign of Difference Test assesses the number of vehicles indicating an increase or decrease in emissions. The two tests are considered together in evaluating whether an adverse effect exists to assure that a mean difference determination is not unduly influenced by very high or very low emission results from only a few vehicles.

The Deteriorated Emissions Test analysis indicates whether the waiver fuel or fuel additive causes a vehicle to fail to meet emission standards. This test examines each vehicle's emission performance as compared to each pollutant standard. It is useful to perform this analysis even if the first two analyses indicate the waiver fuel or fuel additive has no adverse effect. The analysis indicates whether the emissions from any particular type of vehicles or special emission control technologies are uniquely sensitive to the waiver fuel or fuel additive, thus causing vehicles to fail to meet emission standards. This effect could be masked in the previous analyses which consider the emissions results as a group without distinguishing the emissions impact on subgroups.

Appendix B - Numerical Summary of the Statistical Tests

1. Paired Difference Test

Listed below are the 90 percent confidence intervals in grams per mile around the mean difference between the base fuel and the waiver fuel emission level.

A. Five volume percent methanol/Five volume percent GTBE

Hydrocarbons (HC)	-0.37	to	-0.14
Carbon Monoxide (CO)	-12.32	to	-3.33
Oxides of Nitrogen (NOx)	-0.32	to	+0.04

B. 15 volume percent GTBA

Hydrocarbons (HC)	-0.37	to	-0.11
Carbon Monoxide (CO)	-12.11	to	-3.61
Oxides of nitrogen (NOx)	-0.33	to	-0.03

2. Sign of Difference Test

Listed below is the percent confidence with which one could state that the ARCO additive will cause an increase in the emissions over the base fuel emissions. This is based on the observed increases in emissions out of the total vehicles tested. Included are the number of observed increases out of the total sample. An increase in emissions exists when the emission level for the waiver fuel is greater than the emission level for the base fuel.

<u>Fuel</u>	<u>Pollutant</u>	<u>Increases/Test</u>	<u>% confidence of increase</u>
5v % methanol/	HC	2/11	.6
5v %	CO	1/11	.1
GTBA	NOx	4/11	11.3
16v % GTBA	HC	0/11	0.0
	CO	1/11	0.1
	NOx	4/10	17.2

3. Deteriorated Emission Test

For both the 5 volume percent methanol/5 volume percent GTBA and the 16 volume percent fuels, the number of vehicles out of eleven vehicles whose incremental 50,000 mile emission values exceed emission standards was zero for all three pollutants.

ENVIRONMENTAL PROTECTION AGENCY

(FRL- 1175 3 1)

Grant of Application for a Fuel Waiver;
Summary of Decision

AGENCY: Environmental Protection Agency (EPA)

ACTION: Notice

SUMMARY: Pursuant to section 211(f) of the Clean Air Act (Act), the Administrator is conditionally granting a fuel waiver request, involving methanol and gasoline grade tertiary butyl alcohol, submitted by the Atlantic Richfield Company.

PUBLIC DOCKET: Copies of information on this waiver application and the Administrator's Decision are available for inspection in public docket EN-81-10 at the Central Docket Section (A-130) of the Environmental Protection Agency, Gallery I-West Tower, 401 M Street, SW, Washington, DC 20460, (202) 755-0245, between the hours of 8:00 a.m. and 4:00 p.m. As provided in 40 CFR Part 2, a reasonable fee may be charged for copying services.

FOR FURTHER INFORMATION CONTACT: James W. Caldwell or Robert Gelman, Fuels Section, Field Operations and Support Division (EN-397), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460 (202) 382-2635.

SUPPLEMENTARY INFORMATION: Section 211(f) of the Clean Air Act (Act), 42 U.S.C. 7545(f)(1), prohibits the introduction into commerce of certain new automotive fuels and fuel additives. Section 211(f)(4) of the Act, 42 U.S.C.

7545 provides that the Administrator of the EPA, upon application by a fuel or fuel additive manufacturer, may waive the prohibitions established under section 211(f) if the Administrator determines that the applicant has established that such fuel or fuel additive will not cause vehicles to fail emissions standards. The Atlantic Richfield Company (ARCO) has submitted such an application for a fuel additive.

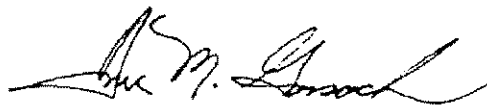
For reasons specified in the decision document, I have decided ~~to~~ conditionally ^{to} grant the waiver request by ARCO for the use in unleaded gasoline of an additive consisting of methanol in combination with gasoline grade tertiary butyl alcohol (GTBA), such that, in the finished product, the ratio of methanol to GTBA by volume does not exceed one, the concentration of oxygen does not exceed 3.5 percent by weight, the American Society for Testing and Materials (ASTM) fuel volatility specifications (ASTM D-439) for the area and time of year in which it is marketed are met, and ARCO takes all reasonable precautions to ensure that the finished fuel is not used as a base gasoline to which other oxygenated additives are added. The waiver is being granted based on the determination that the additive, when used as specified above, will not cause or contribute to a failure of any 1975 or subsequent model year vehicle or engine to comply with the emission standards with respect to which it was certified under section 206 of the Act.

Under Executive Order 12291 the Office of Management and Budget (OMB) was afforded the opportunity to review this action. OMB declined to review this decision.

This action is not a "rule" as defined in the Regulatory Flexibility Act, 5 U.S.C. 601(2), because EPA is not required to undergo "notice and comment" under section 553(b) of the Administrative Procedure Act, or other law. Therefore, EPA has not prepared a supporting regulatory flexibility analysis addressing the impact of this action on small business entities.

This is a final Agency action of national applicability. Jurisdiction to review this action lies exclusively in the U.S. Court of Appeals for the District of Columbia Circuit. Under section 307(b)(1) of the Clean Air Act judicial review of this action is available only by the filing of a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit within 60 days of (the date of publication). Under section 307(b)(2), today's action may not be challenged later in a separate judicial proceeding brought by the Agency to enforce the statutory prohibitions.

Date 1981


Anne M. Gorsuch
Administrator